

**REMARKS**

Attached hereto is a marked-up version of the changes made to the specification and claims by the current amendment. The attached page(s) is/are captioned **"Version With Markings to Show Changes Made."**

In the above referenced Office action, the Examiner divided the claims into the following Groups:

I. Claims 1-7 and 18, drawn to a chimeric gene comprising SEQ ID NO:4 or any sequence which hybridizes under conditions of high stringency to SEQ ID NO:1 and causes rice callus-specific expression of a selectable marker gene, a method for its use to transform rice callus cells and regenerate whole rice plants therefrom, and the resultant rice plants; and

II. Claims 8-19, drawn to a chimeric gene comprising SEQ ID NO:4 or any sequence which hybridizes under conditions of high stringency to SEQ ID NO:1 and causes wheat embryo-specific expression of a selectable marker gene, a method for its use to transform wheat embryo cells and regenerate whole wheat plants therefrom, and the resultant wheat plants, for example.

In response, Applicants elect to begin prosecution with examination of Group I, claims 1-7 and 18, without traverse. Non-elected claims 8-17, and 19 have been canceled. Claim 18 has been amended to depend from claim 4. No new matter is added by way of these amendments.

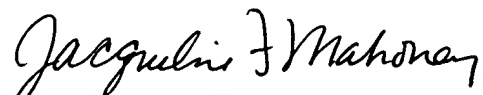
No fees are believed due with this communication. However, the Commissioner is hereby authorized and requested to charge any deficiency in fees herein to Deposit Account No. 50-2207.

Express Mail Label No. EV 057 396 204 US

Attorney Docket No. 50665.8009.US01

If, in the opinion of the Examiner, a telephone conference would expedite the prosecution of the subject application, the Examiner is encouraged to call the undersigned at (650) 838-4410.

Respectfully submitted,



Jacqueline F. Mahoney  
Registration No. 48,390

Date: 3/6/03

**Correspondence Address:**

Customer No. 22918

Phone: (650) 838-4300

**Version With Markings to Show Changes Made**

18. A plant transformation expression cassette according to claim [17]4, wherein said chimeric selectable marker gene has the sequence identified by SEQ ID NO:4.